

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

UNITED STATES OF AMERICA ex rel,
LAWRENCE M. SMITH,
Plaintiffs

v.

DEION L. SANDERS, INDIVIDUALLY, and
DAMIEN LAMARC WALLACE A/K/A
D.L. WALLACE, INDIVIDUALLY, and
FREDERICK R. MAYS, INDIVIDUALLY, and
CHAZMA JONES, INDIVIDUALLY, and
UPLIFT FORT WORTH, CDC,
INDIVIDUALLY, and
CHARITY CHURCH, INDIVIDUALLY, and
PRIME TIME ASSOCIATION,
INDIVIDUALLY, and
TEXAS DEPARTMENT OF AGRICULTURE
INDIVIDUALLY, and
JANE DOE AND JOHN DOE,
Defendants

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CAUSE NO. 3:12-cv4377-M

JURY TRIAL DEMANDED

ORIGINAL ANSWER OF DEFENDANTS
DAMIEN LAMARC WALLACE, FREDERICK R. MAYS,
AND CHAZMA JONES

COME NOW Defendants Damien Lamarc Wallace, Frederick R. Mays, and Chazma Jones, defendants in the above-styled and numbered cause who, without waiving any defenses as specifically described in their previously filed Motion to Dismiss, in answer to Plaintiffs' Amended Complaint file this Original Answer and respectfully show the Court as follows:

I. GENERAL DENIAL

1. Defendants deny the allegations in Paragraph 1 of Plaintiffs' Amended Complaint.
2. Defendants deny the allegations in Paragraph 2 of Plaintiffs' Amended Complaint.
3. Defendants deny the allegations in Paragraph 3 of Plaintiffs' Amended Complaint.
4. Defendants deny the allegations in Paragraph 4 of Plaintiffs' Amended Complaint.
5. Defendants deny the allegations in Paragraph 5 of Plaintiffs' Amended Complaint.

ORIGINAL ANSWER OF DEFENDANTS WALLACE, MAYS, and JONES

6. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 6 of the Complaint and demand that Plaintiffs provide strict proof.
7. Defendants deny the allegations in Paragraph 7 of Plaintiffs' Amended Complaint.
8. Defendants admit that this Court has jurisdiction over this case; however Defendants deny that they have committed any acts in violation of 31 U.S.C. Section 3729 as alleged in Paragraph 8 of the Amended Complaint.
9. Defendants admit the allegations in Paragraph 9 of Plaintiffs' Amended Complaint concerning venue and deny any allegation that they have committed any act giving rise to this action.
10. Defendants admit the allegations in Paragraph 10 of Plaintiffs' Amended Complaint.
11. Defendants admit the allegations in Paragraph 11 of Plaintiffs' Amended Complaint.
12. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 12 of the Complaint and demand that Plaintiffs provide strict proof.
13. Defendants deny the allegations in Paragraph 13 of Plaintiffs' Amended Complaint.
14. Defendants deny the allegations in Paragraph 14 of Plaintiff's Amended Complaint.
15. Defendants deny the allegations in Paragraph 15 of Plaintiffs' Amended Complaint.
16. Defendants lack sufficient knowledge or information to form a belief about the truth of allegations concerning Uplift Fort Worth CDC as stated in Paragraph 16 of Plaintiffs' Amended Complaint. Defendants deny all other allegations in Paragraph 16 of Plaintiffs' Amended Complaint.
17. Defendants deny all allegations of wrongdoing by Defendant Charity Church as stated in Paragraph 17 of Plaintiffs' Amended Complaint. Defendants admit the remainder of the allegations in Paragraph 17 of Plaintiffs' Amended Complaint.
18. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 18 of the Complaint and demand that Plaintiffs provide strict proof.
19. Defendants deny the allegations in Paragraph 19 of Plaintiffs' Amended Complaint, except to the extent it alleges that the Texas Department of Agriculture is a state agency.

20. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 20 of the Complaint and demand that Plaintiffs provide strict proof.
21. Defendants admit the allegations in Paragraph 21 of Plaintiffs' Amended Complaint.
22. Defendants admit the allegations in Paragraph 22 of Plaintiffs' Amended Complaint.
23. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 23 of the Complaint and demand that Plaintiffs provide strict proof.
24. Defendants admit the allegations in Paragraph 24 of Plaintiffs' Amended Complaint.
25. Defendants deny the allegations in Paragraph 25 of Plaintiffs' Amended Complaint.
26. Defendants deny the allegations in Paragraph 26 of Plaintiffs' Amended Complaint.
27. Defendants admit that Charity Church has been a participant in charitable work. Defendants deny the remainder of the allegations in Paragraph 27 of Plaintiffs' Amended Complaint.
28. Defendants admit that certain email addresses as stated have been used by Defendant Wallace. Defendants deny the remainder of the allegations in Paragraph 28 of Plaintiffs' Amended Complaint.
29. Defendants deny the allegations in Paragraph 29 of Plaintiffs' Amended Complaint.
30. Defendants deny the allegations in Paragraph 30 of Plaintiffs' Amended Complaint.
31. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 31 of the Complaint and demand that Plaintiffs provide strict proof.
32. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 32 of the Amended Complaint and demand that Plaintiffs provide strict proof.
33. Defendants deny the allegations in Paragraph 33 of Plaintiffs' Amended Complaint.
34. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 34 of the Complaint and demand that Plaintiffs provide strict proof.

35. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 35 of the Complaint and demand that Plaintiffs provide strict proof.
36. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 36 of the Complaint and demand that Plaintiffs provide strict proof.
37. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 37 of the Complaint and demand that Plaintiffs provide strict proof.
38. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 38 of the Complaint and demand that Plaintiffs provide strict proof.
39. Defendants deny the allegations in Paragraph 39 of Plaintiffs' Amended Complaint.
40. Defendants deny the allegations in Paragraph 40 of Plaintiffs' Amended Complaint.
41. Defendants deny the allegations in Paragraph 41 of Plaintiffs' Amended Complaint.
42. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 42 of the Complaint and demand that Plaintiffs provide strict proof.
43. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 43 of the Complaint and demand that Plaintiffs provide strict proof.
44. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 44 of the Complaint and demand that Plaintiffs provide strict proof.
45. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 45 of the Complaint and demand that Plaintiffs provide strict proof.
46. Defendants deny the allegations in Paragraph 46 of Plaintiffs' Amended Complaint.
47. Defendants deny the allegations in Paragraph 47 of Plaintiffs' Amended Complaint.
48. Defendants deny the allegations in Paragraph 48 of Plaintiffs' Amended Complaint.
49. Defendants deny the allegations in Paragraph 49 of Plaintiffs' Amended Complaint.

- 50. Defendants deny the allegations in Paragraph 50 of Plaintiffs' Amended Complaint.
- 51. Defendants deny the allegations in Paragraph 51 of Plaintiffs' Amended Complaint.
- 52. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 52 of the Complaint and demand that Plaintiffs provide strict proof.
- 53. Defendants deny the allegations in Paragraph 53 of Plaintiffs' Amended Complaint.
- 54. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 54 of the Complaint and demand that Plaintiffs provide strict proof.
- 55. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 55 of the Complaint and demand that Plaintiffs provide strict proof.
- 56. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 56 of the Complaint and demand that Plaintiffs provide strict proof.
- 57. Defendants deny the allegations in Paragraph 57 of Plaintiffs' Amended Complaint.
- 58. Defendants deny the allegations in Paragraph 58 of Plaintiffs' Amended Complaint.
- 59. Defendants deny the allegations in Paragraph 59 of Plaintiffs' Amended Complaint.
- 60. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 60 of the Complaint and demand that Plaintiffs provide strict proof.
- 61. Defendants deny the allegations in Paragraph 61 of Plaintiffs' Amended Complaint.
- 62. Defendants deny the allegations in Paragraph 62 of Plaintiffs' Amended Complaint.
- 63. Defendants deny the allegations in Paragraph 63 of Plaintiffs' Amended Complaint.
- 64. Defendants deny the allegations in Paragraph 64 of Plaintiffs' Amended Complaint.
- 65. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 65 of the Complaint and demand that Plaintiffs provide strict proof.
- 66. Defendants deny the allegations in Paragraph 66 of Plaintiffs' Amended Complaint.

67. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 67 of the Complaint and demand that Plaintiffs provide strict proof.
68. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 68 of the Complaint and demand that Plaintiffs provide strict proof.
69. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 69 of the Complaint and demand that Plaintiffs provide strict proof.
70. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 70 of the Complaint and demand that Plaintiffs provide strict proof.
71. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 71 of the Complaint and demands that Plaintiff provide strict proof.
72. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 72 of the Complaint and demands that Plaintiff provide strict proof.
73. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 73 of the Complaint and demands that Plaintiff provide strict proof.
74. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 74 of the Complaint and demands that Plaintiff provide strict proof.
75. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 75 of the Complaint and demands that Plaintiff provide strict proof.
76. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 76 of the Complaint and demand that Plaintiffs provide strict proof.

77. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 77 of the Complaint and demand that Plaintiffs provide strict proof.
78. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 78 of the Complaint and demand that Plaintiffs provide strict proof.
79. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 79 of the Complaint and demand that Plaintiffs provide strict proof.
80. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 80 of the Complaint and demand that Plaintiffs provide strict proof.
81. Defendants deny the allegations in Paragraph 81 of Plaintiffs' Amended Complaint.
82. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 82 of the Complaint and demands that Plaintiff provide strict proof.
83. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 83 of the Complaint and demands that Plaintiff provide strict proof.
84. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 84 of the Complaint and demands that Plaintiff provide strict proof.
85. Defendants lack sufficient knowledge or information to form a belief about the truth of the allegations in Paragraph 85 of the Complaint and demands that Plaintiff provide strict proof.
86. Defendants deny the allegations in Paragraph 86 of Plaintiffs' Amended Complaint.
87. Defendants deny the allegations in Paragraph 87 of Plaintiffs' Amended Complaint.
88. Defendants deny the allegations in Paragraph 88 of Plaintiffs' Amended Complaint.
89. Defendants deny the allegations in Paragraph 89 of Plaintiffs' Amended Complaint.
90. Defendants deny the allegations in Paragraph 90 of Plaintiffs' Amended Complaint.

II. AFFIRMATIVE DEFENSES

91. Defendant Mays, Defendant Wallace, and Defendant Jones assert that the Court lacks personal jurisdiction due to lack of service of process or improper service of process. The factual basis for this defense is specifically described in defendants' Motion to Dismiss as previously filed.

III. PRAYER

WHEREFORE Defendants pray this Court dismiss this suit with prejudice or render judgment that Plaintiffs take nothing, that the Court assess all costs against Plaintiffs, and award Defendants their reasonable attorney's fees, and that the Court order such other and further relief to which Defendants may be entitled.

This 19th day of March, 2014.

Respectfully submitted,

/s/ Kimberly M. Carlisle
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ATTORNEY FOR
DEFENDANTS WALLACE,
MAYS, JONES, AND
CHARITY CHURCH

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NORTHERN DISTRICT OF TEXAS
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UNITED STATES OF AMERICA ex rel,
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CAUSE NO. 3:12-cv4377-M

JURY TRIAL DEMANDED

CERTIFICATE OF SERVICE

I hereby certify that I have served a true copy of this Original Answer of
Defendants via the ECF system on:

Don R. Stewart, Esq.
200 E. Main Street
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U.S. Attorney's Office
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John D. Nation, Esq.
4925 Greenville, Ste. 200
Dallas, Texas 75206

This 19th day of March, 2014.

/s/ Kimberly M. Carlisle
Kimberly M. Carlisle